

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:06-CV-00232-F

MICHAEL STEWART,
Plaintiff,

v.

AVAYA, INC.,
Defendant.


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ORDER

This matter is before the court on Plaintiff Michael Stewart's letter dated August 19, 2015 [DE-40], which the court construes as a Motion for Relief from Final Judgment pursuant to Fed. R. Civ. P. 60(b). The instant motion was filed on August 24, 2015. Plaintiff, however, failed to file a Certificate of Service as required by Fed. R. Civ. P. 5(d)(1). On August 25, 2015, the Clerk sent a Notice of Deficiency to Plaintiff, and directed Plaintiff to file a Certificate of Service. Plaintiff has failed to comply. Accordingly, Plaintiff's motion is DENIED without prejudice to refile.

SO ORDERED.

This the 6th day of October, 2015.



JAMES C. FOX
Senior United States District Judge